



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2013 REGULAR SESSION

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SENATE CONCURRENT RESOLUTION NO. 35

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MONDAY, FEBRUARY 11, 2013

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The following concurrent resolution was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED  
DATE March 14, 2013  
3:13pm

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ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Adles

1 A CONCURRENT RESOLUTION relating to the study of the Unified Juvenile  
2 Code and related statutes.

3 WHEREAS, the Unified Juvenile Code was enacted in 1986 after a thorough  
4 review of its predecessor statutes enacted in 1948 and upon review of statutes dating back  
5 to 1896; and

6 WHEREAS, significant amendments to the Unified Juvenile Code were enacted by  
7 the General Assembly in 1994 and nearly every session thereafter; and

8 WHEREAS, practitioners and participants in the juvenile justice system realize that  
9 the current Unified Juvenile Code, along with other statutes impacting the juvenile justice  
10 system, have been extensively added to and modified, resulting in ambiguity and  
11 inconsistency; and

12 WHEREAS, the General Assembly believes that the Unified Juvenile Code is in  
13 urgent need of review to remove these ambiguities and inconsistencies in order to provide  
14 the Commonwealth's children with the care and treatment needed;

15 NOW, THEREFORE,

16 *Be it resolved by the House of Representatives of the General Assembly of the*  
17 *Commonwealth of Kentucky, the Senate concurring therein:*

18 ➔Section 1. The Unified Juvenile Code Task Force is hereby created.

19 ➔Section 2. The Unified Juvenile Code Task Force shall consist of:

20 (1) The chair of the Senate Judiciary Committee, who shall be co-chair of the task  
21 force; however, if he or she declines to serve, the President of the Senate shall designate a  
22 member of the Senate to serve as co-chair of the task force;

23 (2) The chair of the House of Representatives Judiciary Committee, who shall be  
24 co-chair of the task force; however, if he or she declines to serve, the Speaker of the  
25 House of Representatives shall designate a member of the House of Representatives to  
26 serve as co-chair of the task force;

27 (3) A District Court or Family Court Judge recommended by the Chief Justice;

- 1 (4) The director of the Administrative Office of the Courts or his or her designee;
- 2 (5) A current or former county attorney or assistant county attorney with juvenile
- 3 court experience recommended by the co-chairs;
- 4 (6) A current or former attorney from the Department of Public Advocacy with
- 5 juvenile practice experience recommended by the public advocate;
- 6 (7) The commissioner of the Department of Juvenile Justice;
- 7 (8) The commissioner of the Department for Community Based Services;
- 8 (9) A superintendent from a local board of education recommended by the co-
- 9 chairs;
- 10 (10) A current county judge/executive recommended by the co-chairs; and
- 11 (11) A provider of community based treatment services for children recommended
- 12 by the co-chairs; and
- 13 (12) A provider of mental health services to children recommended by the co-
- 14 chairs.

15 ➔Section 3. (1) The Unified Juvenile Code Task Force may, based on prior  
16 research and recommendations and its own new research and recommendations, provide  
17 to the Interim Joint Committee on Judiciary and the Legislative Research Commission  
18 draft changes to the Unified Juvenile Code and other necessary statutes.


- 19 (2) The draft may, insofar as possible, provide for:
- 20 (a) The use of validated risk and needs assessments;
- 21 (b) Alternatives to incarceration;
- 22 (c) The use of community resources, education, and rehabilitation programs for
- 23 both victims and defendants;
- 24 (d) Reinvestment of savings from reduction of the use of facilities for the
- 25 detention and out-of-home placement of public offenders and status offenders into
- 26 community-based treatment programs for public offenders and status offenders;
- 27 (e) Establishing means of protection and treatment for special needs children;

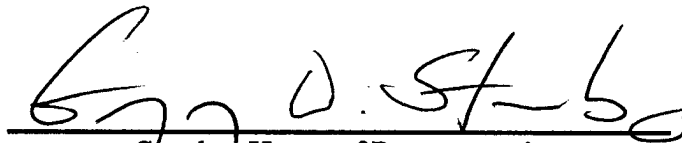
- 1           (f) The feasibility of establishing an age of criminal responsibility;
- 2           (g) Whether or not to eliminate status offenses or modify how status offenses are  
3 handled and status offenders are treated;
- 4           (h) An understanding of the issue and an improved system of identification of  
5 children exposed to domestic violence;
- 6           (i) A plan for an improved system of information sharing, coordination and  
7 provision of services, and response to children exposed to and affected by domestic  
8 violence and the impact of domestic violence on a child's behavior; and
- 9           (j) Such other recommendations for the modernization and improvement of the  
10 Unified Juvenile Code as may be needed and desirable.

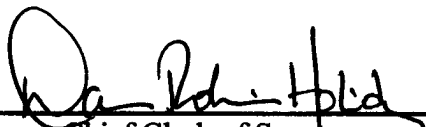
11           ➔Section 4. The Unified Juvenile Code Task Force may produce a draft of  
12 proposed changes to the Unified Juvenile Code and other necessary statutes for  
13 submission to the Interim Joint Committee on Judiciary and to the Legislative Research  
14 Commission no later than January 6, 2014.


15           ➔Section 5. Final membership of the Unified Juvenile Code Task Force shall be  
16 subject to the consideration and approval of the Legislative Research Commission.

17           ➔Section 6. Provisions of Sections 1 to 5 of this Act to the contrary  
18 notwithstanding, the Legislative Research Commission shall have the authority to  
19 alternatively assign the issues identified herein to an interim joint committee or  
20 subcommittee thereof, and to designate a study completion date.

  
President of Senate

  
Speaker-House of Representatives

Attest:   
Chief Clerk of Senate

Approved   
Governor

Date 3-14-13